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Spotlight On:

ACLU's Roger Baldwin, Who 'Puts Things Right'

BY CARTER VAN LOPIK
Free Press Staff Writer

RIGHT or wrong, the American Civil Liberties Union has never been afraid to stick its neck out.

The organization—which most people consider ultra-liberal—will cut its 44th birthday cake in Detroit next Saturday and honor its 80-year-old founder, Roger Baldwin, a man who still trots to get places.

"Liberal, hell," said Ernest Mazey, executive director of the Michigan chapter. "In a sense, we are one of the most conservative groups going. We stick to the Constitution and that's it."

Since its founding, ACLU has defended civil liberties for everyone from Black Shirts to those who wear no shirts—or pants either.

Causes have included Communists and Fascists, and defenses have been offered for such not-so-flaming liberals as Gerald L. K. Smith, Senator Taft, Henry Ford and Mississippi Gov. Ross Barnett.

"I always felt you had to defend people you disliked and feared as well as those you admired," says Baldwin, who once spent a year in jail because he refused to be conscripted in World War I.

THE ACLU was born of the American Union Against Militarism, which established a Civil Liberties Bureau that later became independent. It was reorganized in 1920 as the ACLU.

The founding fathers were a mixture of radicals, pacifists and rich eccentrics.

Boston-born and Harvard educated Baldwin favored a two-year term in the White House before settling on a career as a do-gooder.

He went to St. Louis, where he was the head of the probation department in juvenile court and helped organize the National Probation Association.

After his prison stint for his "uncompromising opposition to the principle of conscription of life by the State," Baldwin worked as a laborer and a restaurant cook before devoting full time to ACLU.

BALDWIN'S determination and energy kept the union alive in the 20s. In the first year, he fought the deportation of aliens of radical belief, defended labor's right to organize and the rights of the old Wobblies (Industrial Workers of the World).

● In 1925, an ACLU team headed by Clarence Darrow went to Dayton, Tenn., to oppose William Jennings Bryan and defend John T. Scopes for teaching the theory of evolution.

The trial played a major part in ending a serious government threat to freedom of thought and academic liberty.

● The next year, in Passaic, N.J., the ACLU succeeded in enjoining the sheriff from interfering with meetings of employees called in a year-long textile strike.

● Nicola Sacco and Bartolomeo Vanzetti died in 1927 for a crime committed seven years earlier. The ACLU fought for their lives, convinced that they were being prosecuted for their anarchist views.

● THE YEAR 1931 brought the famous Scottsboro, (Alabama) case in which nine

Negro boys were convicted and sentenced to death for raping two white girl hoboes on a freight train. ACLU representatives collected facts and arranged appeal, though the case was taken over by the Communist-led International Labor Defense.

Retrial of the case resulted in long prison terms and the last of the "boys" was released in 1950.

● Acting through the ACLU, 41 distinguished citizens protested the 1932 eviction of the so-called Bonus Expeditionary Force from Washington. The Army used tear gas on men, women and children in violation of the right of assembly.

● In 1933, the Union backed the admission to the United States of James Joyce's "Ulysses" in an historic anti-censorship case.

Even the famous cases are too numerous to mention. The Union defended Henry Ford's right of free speech in 1937 before the National Labor Relations Board and in '38 together with the CIO, fought Mayor Hague's denial of free assembly and speech in Jersey City.

During World War II, the Union fought for the rights of the more than 100,000 Japanese-Americans who were relocated on military orders.

THE UNION has gone its way fighting what it feels are violations of American birthrights in thousands of cases.

Baldwin, who retired from administrative work in 1950, sums it up this way:

"I tackle the things that arouse me—Injustice, cruelty, unfairness. The majority has rights, but they can take care of themselves. It's the new ideas, the new forces that come out of minorities, which make progress."

Over the years, the ACLU has become respectable. Its cause has become one that can be embraced by a corporation lawyer without embarrassing his friends or the Republican Party.

"I don't do something just because I think I'll win,"

(Indicate page, name of newspaper, city and state.)

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Civil Liberties Infringements Drop Reported

CHICAGO, March 23 (C.T.P.S.). An "extraordinary development" of this war is the fact there have been fewer cases of infringement on civil liberties than there were during peacetime or during the last war, Roger Baldwin, director of the American Civil Liberties Union, said today at a meeting of the Chicago Civil Liberties Committee. Then Baldwin criticized several contemporary civil liberties cases.

The Department of Justice was split on the decision to bring Mrs. Elizabeth Dilling from Chicago to the District of Columbia in her sedition case," he declared. "An official of the department told me it was foolish of the Government to do this because he felt these people are not really dangerous and that there was no conspiracy against them. 'It would be making a martyr of Lizzie—what an object for the Government to achieve!' he said."

Baldwin cited another instance in which the Post Office Department accused an Idaho publisher of making seditious statements in his newspaper, which had a circulation of 500. Because the paper was antidraft and antiwar, he said, the Post Office revoked the publisher's second-class mailing privileges, but permitted third-class mailing privileges, a peculiar procedure.

The Civil Liberties Union head asserted that at least one newspaper has felt the wrath of the Government for seditious statements which also could be found in the Nation, the New Republic and PM. He pointed out that the newspaper was antiwar and said the Government bans publications from the mails "not because of what they say but because of their motives."

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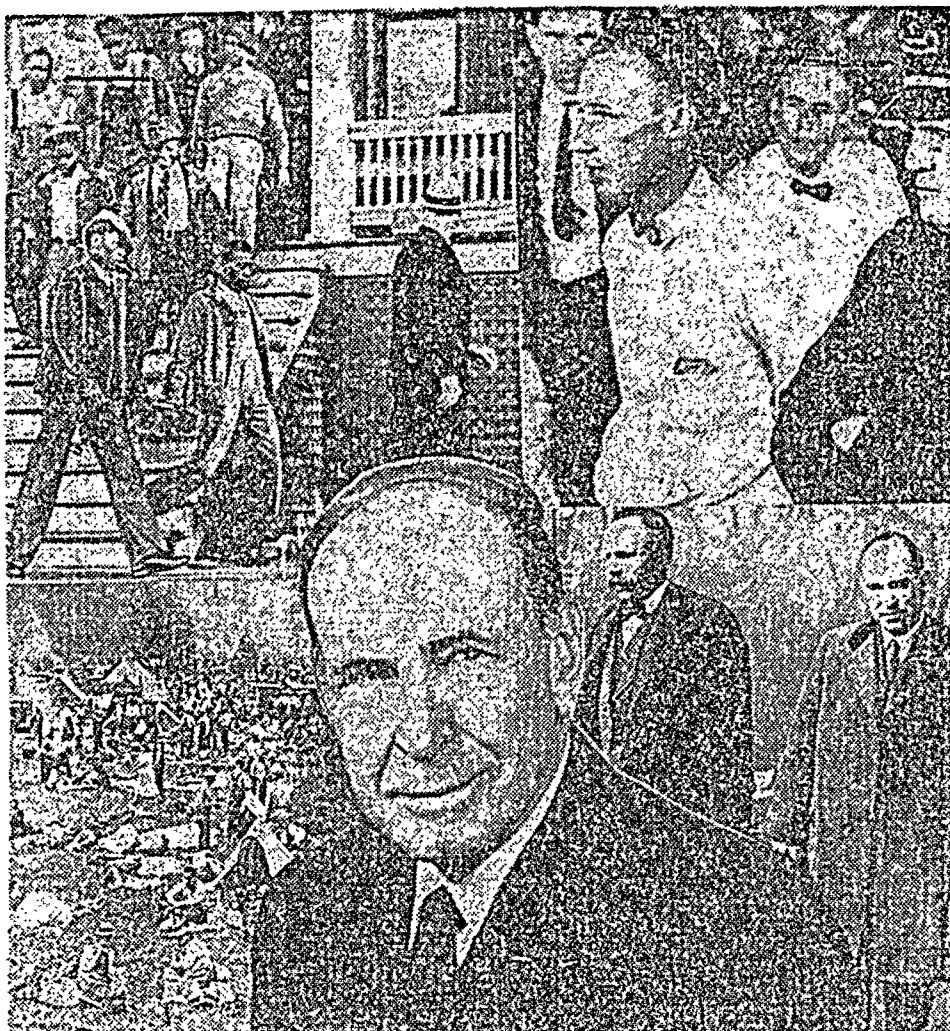
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ROGER BALDWIN, founder of the ACLU, is surrounded by some of the more famous milestones in the union's history. Clockwise from bottom left, The World War I Bonus Army, Alabama's Scottsboro Boys, the Scopes (monkey) trial, and the Sacco-Vanzetti case.

Tolson _____
 Belmont _____
 DeLoach _____
 McGuire _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Holloman _____
 Gandy _____

Dear Editor...

Low Rating

With so many topics that demand airing, such as corruption in politics, stronger civil rights, reexamination of the 27½ per cent depletion returns for oil millionaires, etc., you apparently feel that the TV quiz shows have priority as a moral issue. I wonder how many of your righteous readers of low or moderate circumstances would have turned down similar offers as contestants. These shows have hurt no one except those involved and have actually made the television viewer wiser and more selective.

Frankly, I'm against the outlay of so much of the citizen's money going into this investigation. The networks do not need restrictive legislation. All the publicity they have received, which has incidentally helped you sell more papers, has made them wary. As for contestant Herb Stempel, who was beset with qualms of conscience after collecting a big bundle, the less said the better.

I realize your editorial page can't always contain gems, but you can use it for more important matters.

VIVIAN WEIL

Two Basic Tenets

The statement by Roger Baldwin, founder of the American Civil Liberties Union, in the Post portrait of J. Edgar Hoover, has struck home! I quote from the article:

"The wide network of suspicion created by these inquiries strikes at the freedom of citizens to think, talk, print and associate. These rights are basic to a democracy. Yet Congress has directed the FBI to attack these rights in the name of a spurious security."

There have been many times in the past when I would have liked to speak up on various "security" subjects but refrained from doing so out of fear of retaliation against my good name and that of my family.

I feel that two basic tenets of our democracy must be immediately revived. The first—a man is innocent until proven guilty. The second—printed in Mr. Hoover's book—"... honest dissent should not be confused with disloyalty. A man has a right to think as he wishes; that's the strength of our form of government..."

I for one do not relish the police state!

DR. DANIEL D. EPSTEIN

The Washington Post and Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American _____
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 New York Daily News _____
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TRANSLATION FROM THE SPANISH

EL MUNDO
San Juan, P.R.
April 6, 1957
Page 1; Cols. 1,2,3

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BALDWIN IS IN FAVOR OF REPEAL
OF LAW 53; "MORALLY" BAD LAWS

By Juan Martinez Chapel

According to the belief of Doctor ROGER BALDWIN, civil liberties will be guaranteed in Puerto Rico, but they can be improved if Law 53 of 1948 is repealed and the law which obliges persons to incriminate themselves when they testify under certain circumstances, although they cannot be prosecuted for their own confession. The first of these laws is called the Gag Law by part of the public; and the second, the Law of Immunity.

Doctor BALDWIN is the legal advisor of the CIVIL LIBERTIES UNION in the United States and is here as an advisor to the Committee on Civil Liberties appointed by Governor Munoz Marin.

Yesterday afternoon Doctor BALDWIN held a press conference in the Music Room in La Fortaleza and he stated that he was "confident that the unprecedented investigation which is being effected in Puerto Rico upon the request of the government itself will place Puerto Rico at a legal level in the practice of democratic rights that will serve as a model for other countries that wish to live democratically."

He stated that he was returning to New York after two weeks on the Island, but that the CIVIL LIBERTIES UNION will continue to be in close contact with the Committee in Puerto Rico in its task of investigating how civil liberties are practised here and in the recommendations that will be made to the Governor. "I did not come here as an expert. I came to study the field and to ask questions, not to make decisions," he said.

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He added that the government of Puerto Rico does not pay for his expenses and that he is a representative of the CIVIL LIBERTIES UNION and not an official of the Island government.

In reply to questions asked by reporters, he refrained from giving an opinion as to whether he believed it a good practice for governments to sustain their own newspapers, but he stated that governments should give the press ample information regarding their functionings and actions because the people has the right to know everything that the government does.

According to Doctor BALDWIN, civil liberties are not of great use if the people does not know how and does not wish to use them. In his opinion, political organizations are strong in Puerto Rico, but civic and private organizations are few and weak and almost all are located in San Juan, the other regions of the country lacking them.

He believes that in general the laws in Puerto Rico are excellent, with the exception of Law 53 and the Law of Immunity which he considers morally bad.

"The situation here is so good that it is easy to improve it," he said, "because of the little that has to be done and because there is no resistance either among the people or in the government."

Mr. BALDWIN said in a communiqué commenting on what he has observed in three visits to the Island this year:

"Although I do not speak in the name of the Committee, I should like to make a few personal observations based on five questions that may be used as points of measure here or in any other place to evaluate the work done.

Question: Is the government sensitive to the protection

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of the rights and liberties of citizens? The obvious answer in Puerto Rico is in the affirmative; otherwise, they would not have invited me to come here.

"Then: Are enough citizens alert to defending their rights if they are endangered? There could be a great many more, and more nonpolitical organizations are lacking. Thirdly: Do the press and radio adequately carry out their service of bringing to the people adequate information regarding democratic liberties and reflecting their diverse interests? They have many more opportunities, particularly on the radio.

"Fourthly: Is judicial independence as a guardian of constitutional guarantees responsible for the charges of violations of the Bill of Rights? The record shows that it is, but with less charges of violations than it is presumed an alert citizenry would make. Fifthly: Is there sufficient examination and verification to counterarrest undue centralization of powers, both political as well as economic? The weaknesses of civic agencies connected with the government, the traditional lack of strong local governments and of a well-developed movement of labor unions are reasons for this question's meriting attention.

PRAISES

"I am enthusiastic at the excellent Bill of Rights in the constitution of the Commonwealth, the desire of the Governor to improve its application in every way possible, the magnificent calibre of the administration, and the unrestricted liberty to discuss public questions. Another reason for encouragement is the representation of political minorities in the Legislature and the effort to extend this principle to the municipalities which give additional powers to the citizens and greater participation and experience in the government itself.

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"I have reached the conclusion that the administration of the Penal Code from the time of intervention by the Police until the matter is taken to court needs careful investigation since the codes have not been revised for many years insofar as the law and proceedings are concerned. A revision is now being made. The system of nominations and elections, although it is just and free, apparently offers an opportunity for improvement.

"I should think that a serious problem lies in instilling a more adequate sense of the role that the citizens play in the government. The tendency to depend on the government instead of on themselves to solve their problems is natural in the light of tradition, but it weakens the roots of democracy. Political parties in themselves, which seem to be the principal manner of expressing public interest, are not adequate to offer various modes of educating the citizenry. The best way of keeping democratic liberties is by means of a continuous close relation between the government and the people, in which both exercise their influence one against the other. It is necessary to foment the influence of the people on the government in Puerto Rico.

LAW 53

"Fortunately I find very few problems here or none in regard to the freedom of speech, the press, or association, or racial or religious discrimination, or in regard to the rights of women. I should make an exception in this observation in the case of the sedition law, approved in an emergency and known as Law 53, which condemns mere beliefs and associations and also imposes an examination of opinion and association for public employees.

"It is important that there be laws to protect civil rights; it is more important that they be put into practice; but the most important thing of all is the spirit and resolu-

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tion of a people determined to maintain those liberties by means of which a democracy continues to evolve.

"I am confident that an investigation as special as the one that is being carried out will place Puerto Rico at a level of laws and practices that will serve very well as an example that other countries will follow."

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Malas "Moralmente"

Baldwin Está a Favor Se Derogue la Ley 53

Por Juan Martínez Chapel

En Puerto Rico, según el sentir del doctor Roger Baldwin, las libertades civiles están garantizadas; pero pueden mejorarse si se derogan la Ley 53 de 1948 y la ley que hace obligatorio el declarar en determinadas circunstancias a personas que se inculpan ellas mismas, aunque no se les pueda procesar por su propia confesión. La primera de esas leyes parte del público la

llama Ley de la Mordaza y a la segunda la Ley de Inmuni-

dad. El doctor Baldwin es consejero de la Unión de Libertades Civiles en Estados Unidos y está aquí como consejero del Comité de Libertades Civiles nombrado por el gobernador Muñoz Marín.

Ayer por la tarde el doctor Baldwin celebró una conferencia de Prensa en el Salón de Música de La Fortaleza y ex-

presó que "tiene confianza que la investigación sin precedentes, que se realiza en Puerto Rico a petición del propio Gobierno, colocará a Puerto Rico en un nivel legal de práctica de derechos democráticos que servirá de modelo a otros países que quieran vivir democráticamente".

Manifestó que regresa a Nueva York después de dos semanas en la Isla, pero que la Unión de Libertades Civiles continuará en íntimo contacto con la Comisión de Puerto Rico en su tarea de investigación de cómo se practican las libertades civiles aquí y en las recomendaciones que se hagan al Gobernador. "Yo no vine aquí en pose de experto, vine a estudiar sobre el terreno y a hacer preguntas, no a tomar decisiones", —dijo.

Agregó que el Gobierno de Puerto Rico no paga sus gastos y que es un representante de la Unión de Libertades Civiles y no un funcionario del Gobierno de la Isla.

A preguntas de los periodistas se abstuvo de dar opinión si creía buena práctica que los gobiernos sostengan sus propios periódicos, pero manifestó que los gobiernos deben dar a la Prensa información amplia de su funcionamiento y sus actuaciones, porque el pueblo tiene derecho de conocer todo lo que el Gobierno hace.

Según el doctor Baldwin, las libertades civiles no son de gran utilidad si no hay un pueblo que sepa y desee usarlas. En su opinión en Puerto Rico las organizaciones políticas son fuertes, pero las organizaciones cívicas y privadas son pocas y débiles y casi todas localizadas en San Juan, careciendo de ellas las otras regiones del país.

EL MUNDO
San Juan, P.R.
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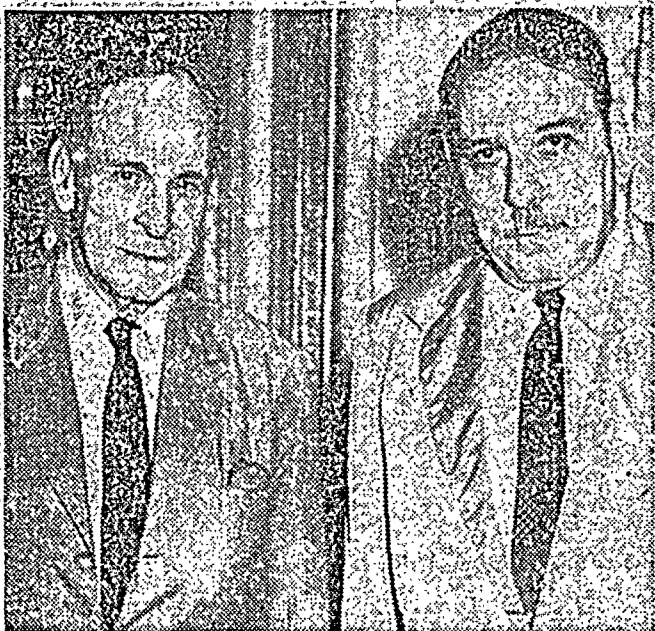


Foto EL MUNDO por Casenave

El señor Roger Baldwin, consejero de la Unión de Libertades Civiles, con el gobernador Luis Muñoz Marín.

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Creo que en general las leyes de Puerto Rico son excelentes, excepto la Ley 53 y la de Inmigración que, considerando moralmente malas.

—La situación aquí es tan buena que mejorarla es fácil, buena que mejorarla es fácil—, dijo, —por lo poco que hay que hacer y porque ni en el pueblo ni en el Gobierno hay resistencia—.

El señor Baldwin, en un comunicado haciendo comentarios sobre lo que ha observado en tres visitas a la Isla durante este año pasado, dijo:

—Aunque no hablo a nombre de la Comisión, quiero hacer algunas observaciones personales basadas en cinco pre-

(Continúa en la Pág. 32, Col. 8)

Baldwin Está.

(Continuación de la página 1)
guntas que se pueden usar como puntos de medida aquí o en cualquier otra parte para evaluar la labor efectuada. Preguntó: ¿Es el Gobierno sensible a la protección de los derechos y libertades de los ciudadanos? La contestación obvia en Puerto Rico es en la afirmativa; de lo contrario no me hubieran invitado a venir aquí.

—Luego: ¿Están suficientes ciudadanos atentos a defender sus derechos para mantenerlos, si éstos se ven en peligro? Podría haber muchos más, y hace falta algo más de organizaciones que no sean políticas. Tercera: ¿Llevan a cabo la Prensa y la radio adecuadamente su servicio de hacer llegar a la gente información adecuada acerca de las libertades democráticas y de reflejar sus intereses diversos? A ellos se les presentan muchas más oportunidades, particularmente a la radio.

Cuarta: ¿Es la independencia judicial como guardián de las garantías constitucionales responsable de las acusaciones de violaciones a la Carta de Derechos? El récord muestra que lo es, pero con menos acusaciones de violaciones de los que se presume haría una ciudadanía despierta. Quinta: ¿Hay suficiente examen y comprobaciones para contrarrestar la centralización indebida de poderes, tanto políticos como económicos? La debilidad de agencias cívicas relacionadas con el Gobierno; la falta tradicional de fuertes gobiernos locales y de un movimiento desarrollado de uniones obreras son razones para que esta pregunta merezca atención.

HACE ELOGIOS

—Me entusiasma la excelente Carta de Derechos en la Constitución del Estado Libre Asociado, el deseo del Gobernador por mejorar su aplicación en todos los modos posibles; la magnífica calidad de la administración y la libertad no restringida para discutir las cuestiones públicas. Motivo de aliento es también la representación de las minorías políticas en la Legislatura, y el esfuerzo por extender ese principio a los municipios, que dan aliciones poderes adicionales a los ciudadanos y mayor participación y experiencia en gobierno propio.

—He llegado a la conclusión de que la administración del Código Penal, desde la intervención de la Policía hasta llegar a la corte, necesita investigarse cuidadosamente, ya que los códigos en lo que respecta a ley y procedimientos no se han revisado por muchos años. Se está llevando a cabo ahora una revisión. El sistema de nominaciones y elecciones, aunque es justo y libre, ofrece aparentemente oportunidad para mejoras.

—Pensaría que un grave problema estriba en intuir un sentido más adecuado del papel que desempeña el ciudadano en el Gobierno. La tendencia de depender del Gobierno en vez de ellos mismos en sus propias asociaciones para la solución de sus problemas es natural a la luz de la tradición, pero debilita las raíces de la democracia. Los partidos políticos en sí, que parecen ser la principal manera de expresión de interés público, no son adecuados para brindar las diferentes modalidades de educar la ciudadanía. La mejor manera de mantener las libertades democráticas es por medio de una continua e íntima relación entre el Gobierno y el pueblo en la cual ambos ejerzan sus influencias, uno contra otro. Se necesita fomentar en Puerto Rico la influencia del pueblo sobre el Gobierno.

LEY 53

—Afortunadamente encuentro aquí muy pocos o ningún problema en cuanto a la libertad de palabra, de Prensa o de asociación, o a discriminación racial o religiosa, o en cuanto a los derechos de la mujer. Haría excepción en esta observación en el caso de la ley de sedición, aprobada en una emergencia y conocida como la Ley 53, que condena meras creencias y asociaciones, así como impone examen de opinión y asociación para empleos públicos.

—Es importante que hayan leyes para proteger los derechos civiles; más importante es el que se pongan en práctica; pero lo más importante de todo es el espíritu y la resolución de un pueblo determinado en mantener aquellas libertades por medio de las cuales una democracia consigue evolucionar.

—Estoy en la confianza de que la investigación tan especial que se está llevando a cabo pondrá a Puerto Rico en un nivel de leyes y prácticas que muy bien servirán de ejemplo que seguirán otros países—.

Mr. Tolson	_____
Mr. Nichols	_____
Mr. Boardman	_____
Mr. Belmont	_____
Mr. Ladd	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Harbo	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Egan	_____
Mr. Gurnea	_____
Mr. Hendon	_____
Mr. Pennington	_____
Mr. Quinn	_____
Mr. Nease	_____
Miss Gandy	_____

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BAIRD GARDNER

McGowan
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Roger Baldwin, counsel for the American Civil Liberties Union, returned to the States Saturday after completing a survey for the United Nations on the subject of "human rights" here. Reportedly, he found the local situation satisfactory..... However, attorney Santos Amadeo, representative for the Civil Liberties Union in Puerto Rico, maintains that the procedures of investigation and accusation used by the Commonwealth Department of Justice are unfair to the suspects.

The Daily Compass
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P. 4

PROPOSED VISIT OF
ROGER BALDWIN TO
P.R. FOR STUDY OF
CIVIL LIBERTIES
SJ 44-0

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60 FEB 21 1956

McCarthyism Hurts U. S., Says Baldwin

Chairman of C.L.U. Lists Five Effects on Foreign Policy

Roger N. Baldwin, national chairman of the American Civil Liberties Union, yesterday cited five ways in which "our foreign policy has been affected because of the passionate and unreasoning anti-Communism that dominates our nation's thinking."

Speaking before the Community Church of Boston at Conservatory Auditorium, 31 Hemenway st., on "McCarthyism and United States Foreign Policy," Baldwin listed the following effect:

1. It has impaired the morale of the State Department. No one feels safe or sure of his job.

2. The insistent McCarthy demands that all trade with Communist countries be cut off regardless of strategic or non-strategic materials. Our Allies have to conduct this sort of trade in order to live.

3. We have elevated anti-Communism to such a point that we obstruct negotiations. Any compromise essential to successful negotiations will be termed appeasement.

4. United States public opinion has become perverted.

5. We have created abroad a false concept of the United States. Many people abroad believe this country is going fascist.

The speaker said in his opinion there are counterforces to combat McCarthyism.

"There is hardly a Democrat who will support what McCarthy says," according to Baldwin.

Furthermore, organized labor is against him, and the Protestant churches have pronounced themselves against him.

"More important is the obvious attitude of the present Administration in ignoring and by-passing what McCarthy stands for. It is a great tribute to the President."

Baldwin said that present indications are that this country "is almost to the point of recognizing Red China. We are coming around to the realization that we can't make peace in Korea without a guarantee from Red China that she will not attack again."

Mr. Tolson	_____
Mr. Ladd	_____
Mr. Nichols	_____
Mr. Belmont	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Harbo	_____
Mr. Rosen	_____
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Mr. Mohr	_____
Mr. Trotter	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

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Classification: 100-

Newspaper THE BOSTON GLOBE

Date: 2-22-55

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Boone
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35 YEARS WITH FREE SPEECH

The New 'American'

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Party Line' [3]

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Wash. Post _____

Wash. News _____

Wash. Star _____

N.Y. Mirror _____

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Date: 4-26-1952

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This is the last instalment of a serial presentation of the complete text of the Roger N. Baldwin Foundation Address, delivered March 12 at Columbia by Prof. Zechariah Chafee, Jr., of Harvard University.

Under the title "Thirty-five Years with Freedom of Speech," Prof. Chafee analyzes the history of civil liberties in the U. S. since 1917.

By ZECHARIAH CHAFEE, JR.

I am disturbed by the strong tendency to establish an American party-line. Loyalty and integrity are more and more getting tested by mental qualifications going far beyond the old-fashioned determination to support and defend the Constitution of the United States.

One prominent lawyer asserts that the Constitution "contemplates a free enterprise system" and hence everything inconsistent with that system deserves condemnation. The trouble is that the competition of small farmers and shopkeepers which the Founding Fathers knew was not quite the same as a nation of giant corporations. There is no definition of "free enterprise" suitable for application in any sort of legal proceeding.

Yet this lawyer's proposal has been put into operation by the school authorities of Englewood, New Jersey, where every teacher or school-head who proposes to use a text-book must certify in writing that the book does not "advocate . . . a doctrine inimical to the principles of government established by the Constitution . . . and further that it does not advocate a principle or doctrine inimical to the American system of free enterprise."

To some administrative officials, this might well include a book which pointed out the advantages of new federal hospitals for everybody or free college education or the abolition of holding-companies in public utilities.

Such a vague phrase can mean what anybody wants it to mean. It is a deviation from the American party-line to want democracy.

"Ours is a republic. Under a democratic government the major party can put the minority into slavery," said the chairman of the Californian Investigating committee to Florence Eldridge, the actress, before he red-listed her as "typical of the individuals within the various Stalinist orbits."

It is becoming a tenet of the American party-line that there was only one right policy in the frightful tangle of Chinese affairs. If I were a cartoonist, I would picture a new recruit in the State Department holding up his right hand and swearing to defend the Constitution of the United States and Chiang Kai-shek.

Belief in natural law is essential to the American party-line. This is a highly controversial philosophical doctrine, as to which devoted and law-abiding citizens hold contrary views. Yet because Justice Holmes did not believe in natural law, he is now denounced as a totalitarian.

In short, honest differences of opinion are treated like moral differences. The common framework of discussion is getting torn to pieces. Instead of an orderly and enlightened search for facts and sound judgment, public opinion is getting framed by coercion and intrigue and insinuations. Government by representation is giving way to government by misrepresentation.

What can we in this hall do to help turn this nation back toward the freedoms which Englishmen and Americans attained through centuries of struggle and privations and hard thinking?

For years to come, I fear, there is a very small chance of our being able to affect decisions in specific cases or the enactment of sedition laws or the behavior of subversive control boards and legislative investigating committees. Little can we do there, but much can we do to aid in the formation of a sounder public opinion, which will revert to the courage of Thomas Jefferson.

Free speech problems are arising constantly in private lives. They are not limited to courtrooms and Congressional offices. Shall I let my child read this book? Shall I sit silent while the school committee dismisses an unpopular teacher? Shall this meeting take place in a local hall or a vacant lot? Shall I vote against a man because some Sen-

ator calls him subversive? Am I reading both sides of a controversy? Those are questions presented to common or garden people all the time, and the way they are answered can give us more freedom or less.

And it is very fruitful to keep discussing, in season and out of season, the great advantages of open discussion. Of all the arguments against restrictions on

speech, the strongest of all (I have come to think) is that it gives us a better country to live in, with fewer suspicions, animosities, in-formers, heresy trials, and more scope for initiative and originality.

Although freedom cannot be maintained by expositions alone, in the end they furnish the main strength of liberty. A people gets sooner or later as much freedom as it wants. This want is partly created by prophets on or off the bench, but partly by constant discussion from plain citizens like us. The best safeguard against inroads on freedom of speech lies in the ferment in the thoughts of the

young and of those who will not let themselves grow old.

(THE END)

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(7:00 P.M. EST. RELEASE)

THE STATE DEPARTMENT, AFTER PAINSTAKING INVESTIGATION, DECIDED THAT ROGER N. BALDWIN, FORMER HEAD OF THE AMERICAN CIVIL LIBERTIES UNION, IS NOT PRO-COMMUNIST.

THE DEPARTMENT, IN A SPECIAL REPORT TO THE HOUSE APPROPRIATIONS COMMITTEE, SAID THE DECISION WAS MADE DESPITE INFORMATION BY THE HOUSE UNAMERICAN ACTIVITIES COMMITTEE LINKING BALDWIN WITH COMMUNIST FRONT ORGANIZATIONS.

BALDWIN WAS APPROVED, AFTER THE INVESTIGATION, FOR A TRIP TO GERMANY LAST YEAR FOR WORK ON CIVIL RIGHTS PROBLEMS.

CARLISLE H. HUMELSINE, DEPUTY UNDERSECRETARY OF STATE, SAID THE UNAMERICAN ACTIVITIES COMMITTEE'S INFORMATION WAS TAKEN INTO CONSIDERATION BUT THAT OTHER INFORMATION LED THE SECURITY DIVISION TO RULE THAT BALDWIN WAS NOT PRO-COMMUNIST.

THIS WAS DONE EVEN BEFORE THE DIVISION KNEW OF A LETTER PERSONALLY WRITTEN BY GEN. MACARTHUR, HIGHLY COMMENDING BALDWIN FOR HIS WORK, HUMELSINE SAID.

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AUG 23 1951

WASHINGTON CITY NEWS SERVICE

Politics Inspired '11' Trial, Baldwin Tells AJC Parley

By Louise Mitchell

Roger Baldwin, of the American Civil Liberties Union, yesterday expressed the hope that the higher courts would undo what Judge Medina and the Foley Square jury have done so that we may stick to our traditional methods of punishing not words but deeds.

Speaking at the afternoon session of the American Jewish Congress biennial convention, Baldwin abeled the heresy trial "another unjustified measure inspired by politics." Baldwin's attack upon the trial and upon the current hysteria occurred during the panel on The Attack on Civil Liberties.

Prof. Thomas Emerson of Yale University, at the same panel, cored the government "loyalty" aths, which he said were contributing to furthering hysteria. He pointed out that state and municipal governments were taking the lead of the federal government in hounding employes, and that private firms were also heading in that direction. He pointed out that

there is legislation already on the books to handle cases of disloyalty.

Baldwin pointed out that Americans do not need the House Un-American Committee to tell them what is "subversive and what is patriotic."

"The Committee of Congress and the committee in the states all

have a record of great disservice to our liberties by spreading fear and confusion," he noted. "They have made progressive causes appear to be Communistic. The Committee should be abolished as an effort to the intelligence and good sense of the American people."

Referring to the Smith Act under which the Communists were indicted, Baldwin said that persons were persecuted for thoughts, the first time since 1798.

"The bill," he said, "should not stand up against the Bill of Rights provision for freedom of speech. I trust the higher courts will undo what the judge and jury in New York have done, so that we may stick to our traditional method of punishing not words but deeds. All these proceedings are the product of a hysteria over Communist infiltration. Better cures are exposition and democratic reforms. We need no free speech persecution nor inquisition to protect our democracy."

Although Baldwin's remarks in discussion were marked by strong anti-Communist bias, he stressed that a "clear and present danger" does not exist to justify the persecution.

Other panels at the convention (Continued on Page 11)



BALDWIN

dealt with Jewish Living in America, The Jewish State and the Jewish People, and Democratizing the Jewish Community. The session on The Attack on Civil Liberties, was part of the panel on Safeguarding American Democracy.

The sharp difference of opinion among AJC delegates on the role and function of the organization was reflected in the panel discussion. Shad Polier, AJC vice-president, told participants of the Safeguarding American Democracy panel, which he chaired, that they must not align themselves with groups that are "irresponsible" and a "liability." He was referring, but not mentioning by name, the Jewish People's Fraternal Order and American Jewish Labor Council, two progressive affiliates of AJC which the leadership has expelled.

The present administration has also revoked the charter of the Detroit chapter because it attempted to follow an active civil liberties program.

The stormiest session of the convention was expected last night at a closed meeting, when Dr. David Petegorsky, executive director, was scheduled to report.

The administration, which is attempting to remove the AJC from mass participation in the critical issues facing American Jews, stacked the numerous convention committees and steamrollered the proceedings in order to tie the organization to its cold war, redbaiting program.

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This is a clipping from
Page 2 of the
Daily Worker
Date 11-11-49
Clipped at the Seat of
Government.

Handwritten signatures and initials, including "JTB" and "B. G. G."

66 JAN 9-1950

Roger Baldwin to Resign As Civil Liberties Official

By the Associated Press.

NEW YORK, Oct. 27.—Roger N. Baldwin, director of the American Civil Liberties Union, will resign January 1 to "engage in specialized work in the field of international civil rights."

No successor has been chosen yet.

Mr. Baldwin, director of the union since it was formed in 1920,

will continue to act for the union. He also will act for the International League for the Rights of Man, a United Nations consultative agency with which the union is affiliated.

The impending resignation was announced yesterday by John Haynes Holmes, chairman of the union's Board of Directors.

Mr. Holmes attributed the resignation to the "increasing concern of the union with the relation of the United States to the problems of international standards of civil liberties."

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Clipped from
THE EVENING STAR
Washington, D.C.
Dated October 27,
1949

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action against the National Labor Relations Board, War Rel. Act, a precedent congress will contemplate; the measures, he said, if it will, a registration of all Communist Red-controlled organizations. "I will provide legislation" barring Reds from government employment; it will be the responsibility of Congress and "cut the threads binding international Communism."

Bull Forces Reds Into Open

"The two theories should be allowed to freely clash in public, but with no secrecy on the Red side; the bill will force Communists to the open and the open to the Communists and when they are dealing with Nixon," declared. In conclusion he said, "Congress has the constitutional power to protect the country; the problem is to cut U. S. Reds from their foreign aid."

Baldwin Opposes

Baldwin, opening his remarks with a swing at the un-American committee. "The moderate and for the most part, sensible remarks of Representative Nixon show his temperament and attitude is wholly out of keeping with that of the un-American activities committee," he stated. Nixon's charges of the "Reds" of world domination are "entirely correct," he said, but working American democracy renders Communism in America ineffective. Labeling Communists as provided by the "proposed" legislation drive them "underground," he said, "they force them to their names, and will not rid the country of Reds. Past labeling without public hearing by the justice department and the Thomas committee 'imply' the bill is dangerous," he asserted.

Dangerous

Baldwin, who recently returned from London where he was an advisor to General MacArthur on minority groups rights, said "MacArthur, with complete governmental power, places no restrictions on Communism. He fights the Communism by giving the people hope. Japan's half million people have grown; a half million people to encompass six million under MacArthur; and farmer, cooperatives are developing. Communism is no danger in England because the Labor party, which is a progressive masser the things in life people have the right to expect. Only in those countries where the existing government offers no hope to the people do they embrace the Red doctrine," he said.

Nixon Bill an Attempt to 'Immune' Americans

Against the Nixon bill, an attempt to "immunize" Americans against the Communism, he stated. "As for Reds in government jobs, he asked for common sense application of laws, and not street cleaners and such would fall under such a ban. Lauds Marshall Plan."

Along with Representative Nixon

Baldwin lauded the Marshall plan, but noted that the "Marshall plan" is not enough to fight Communism but by giving the people enough to eat, is the antidote to Communism in the world. There will be no war over the Marshall plan, he affirmed, but said ideological war was now rage over the world. He spoke of the United States' foreign policy and drew the first burst of spontaneous applause when he said, "The idea that what is good for the United States is good for the rest of the world is fallacious; it should be: What is good for the rest of the world is good for the U. S."

The U. S. supreme court has

opined that "when there is clear and present danger, the law should step in," Baldwin said. "Do not legislate the field of opinion—let the American people and the American system fight Communism by showing our superior advantages and the ultimately greater satisfaction of our democratic system."

In rebuttal, Representative Nixon

drew a storm of applause when he asked, "Since Communists are banned from the Civil Liberties union," as Mr. Baldwin said, "why should the Civil Liberties union object to the American people barring Reds from their government jobs?"

Shepard Participates in Program

Baldwin replied that if the Nixon bill attempts to bar passage and government jobs to Communists while the people are still loyal voters, it will not stand up to court inspection. "The bill will create second-class citizens. Fight Communism with effective democracy, not oppression," he closed.

In his final remarks, Representative Nixon said

democracy will always defeat Communism when the Reds are out. In the open, when people can make a clear choice, and this is what his bill provides. "The Communists are more than six billion dollars over seas to fight Communism; we are foolish not to fight it at home," he ended.

Active in the question period

which followed was the former State Lieut. Gov. J. B. Shepard. The result involved chiefly the details of the Nixon bill and the past actions of the Thomas committee.

STONINGTON—The Communist party, in the United States, should not be outlawed, both Rep. Rick Warren (R., Calif.) and Roger Baldwin, a director of the Civil Liberties Union, agreed last night in the third Stonington forum this season.

Nearly 400 in Stonington town hall heard Representative Nixon, 35-year-old attorney, Quaker and

navy veteran, advocate registration of all Communist party members and Communist front organizations, bar Communists from government employ and prohibit the state department from issuing passports to Reds. These measures are all to be considered by congress in two or three weeks in bill prepared by Representative Nixon's legislative subcommittee of Rep. J. Parnell Thomas' committee on un-American activities, which the young Californian representative is a member.

"This novel, extraordinary and harmful piece of thought-political legislation bellies the American tradition and will not stand supreme court inspection," Baldwin asserted. "The effect of the bill will be to drive the Communists underground; the Civil Liberties Union feels American democracy is strong enough to withstand all 'isms' and suppression of Communists is taking a leaf from their book," it noted, champion of civil rights declared.

Should the Commonwealth be Outlawed was the question before the grand jury. The institution was regarded as an adult part of the Stonington Community Center. Many prominent Stonington, Waverly, New London and Hartford people made up the grand jury. It participated in a preliminary question period after the speeches of the two protagonists. Rep. Henry Seely-Brown (R.; Conn.) of Portland, acted as moderator. The gang K. K. K. and both of Stonington were in the audience. The arrangement of the forum.

Representative Seely-Brown introduced by Dr. Frederic C. Ward of Stonington at the opening of the program. A large number of the public is our guest. The national question is our subject. The national amendment may be our greatest weakness. The moderator is joining himself up with his colleagues. Representative Seely-Brown declared that the nation has a right to protect itself. The analysis, Rep. Totalitarianism.

"The march of the Red to
farism across the face of
world was analyzed by Repre-
sents Nixon in his opening remarks
to the American People, the
Soviet Union and her satellites
all cast in the same political
he declared: "Red fascism is the
party of the left as the com-
munist party is the party of the
right. He noted that the star
which mothers all opposi-
tion, characterized by ruthless
extermination, and allows no
the freedom of the firm and
ment to the United States and
right, the free speech, free
right." Representative Nixon

The 74,000 more, or less, American Reds owe their allegiance to Russia, and cannot be called American party," he explained. "The long-range 'commitment' of American Communists is for world-wide conquest; by Communism the short-range plan is to disrupt trade and commerce in the United States."

But the federal government constitutionally cannot outlaw communism, Nixon said, since it not have the power to say shall be allowed to appear state ballot. The American do not have to tolerate a party in the United States conspires with a foreign government, no party has the right

advocate disloyalty to the country and the United States; do not have to tolerate a party which advocates setting up a totalitarian system to replace our present constitutional government. WILL

[illegible]

with a "strong" activities committee. The moderate approach for the most part, sensible remarks of Representative Nixon show his temperament and attitude is wholly out of keeping with that of the un-American activities committee, he declared. Nixon's statements of the Red aims of world domination are entirely correct, he said, but working American democracy renders Communism in America ineffective. Labelling Communists as provided by the proposed bill, "anti-Active" whom to

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Japanese, trade unions have grown from a half-million people to encompass six million under MacArthur, and farmer, cooperatives are developing. Communism is no danger in England because the Labor party, "a vital and progressive force," promises the working masses the things in life people have the right to expect. Only in those countries where the existing government offers no hope for the people do they embrace the Red doctrine, the ever-present British attempt to

"'Communist' Americans against Communism," he stated. As for Reds in government jobs, he asked for common sense application, not laws, and noted that rural mail carriers, street cleaners and such would fall under such a ban. He reads Marshall Plan.

Along with Representative Nixon, Baldwin lauded the Marshall plan, but noted that the ERP is not only to fight Communism, but by giving people enough to eat, is the best antidote to Communism in the world. There will be no war over the Marshall plan, he affirmed, but said ideological civil wars now rage over the world. He was not for the coming Italian elec-

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Active in the question period which followed was the former State Lieut. Gov. Odell Shepard. The discussion revolved chiefly about the details of the Nixon bill and the past actions of the Thomas committee.

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Submitted by New Haven F

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Smart Cookie, That MacArthur

The more we see of Gen. Douglas MacArthur's operations in the Far East, the more we're convinced that our country has on its pay roll a shrewd administrator, as well as a top notch military gent.

MacArthur's latest move, announced yesterday, was the appointment of Roger M. Baldwin as War Department consultant on civil liberties and democracy in general. Baldwin is a nationally prominent pacifist, and director of the American Civil Liberties Union. He is known as a capable idealist who has devoted most of his life to plugging for free speech and democracy. And in so doing—as MacArthur knows—Baldwin has probably become our country's No. 1 expert on Communist tactics, and just how distasteful real freedoms and democracy are to our Red friends, Moscow, Tokyo or home-grown.

So to Baldwin we wish luck in his efforts to sell democracy to Japan, China, Korea and other Red-pestered lands. And to MacArthur, the tough military man, we extend congratulations for this unorthodox but smart appointment.

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Carson _____
Mr. Egan _____
Mr. Gurnea _____
Mr. Harbo _____
Mr. Hendon _____
Mr. Jones _____
Mr. Leonard _____
Mr. Pennington _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

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WASHINGTON TIMES HERALD
MORNING EDITION
DATE 11-17-1947

MAY 9 1947

In Name of 'Liberties'

HITLER'S main hope is to bring division among democratic peoples and a negotiated peace as a consequence. In this country the "pacifist" crowd of the Norman Thomas, Frederick Libby, George Hartman stripe is working side by side with the Wheelers, Nyes, Hearsts and McCormicks in their negotiated peace drive.

Now we have the announcement that Roger Baldwin, director of the Civil Liberties Union, is preparing to wage a fight for the right of fascist Gerald L. K. Smith to carry on his fifth column work.

The open fascists, appeasers and defeatists are receiving the support of the anti-Soviet Social-Democrats and of the so-called "pacifists," whose brethren in Europe helped Hitler to power.

There are still some in Europe who display that sort of mentality. British Home Minister Herbert Morrison, a Laborite, says that because we are winning the war, we could afford to ease up on fascists and release men such as Sir Oswald Mosley.

Real liberals who have fought for civil rights throughout America's history must be turning in their graves at the stupidities of the Baldwins. Under the "civil liberties" formula, fascists are given the right to work for democracy's destruction. Can the Civil Liberties Union continue its pretense of opposing race discrimination and anti-Semitism when it defends Gerald Smith?

The Baldwins and Thomas' should not be confused with those commonly known as liberals, who throughout America's history have defended its Bill of Rights. They disgrace the memory of such men and women and should be repudiated by all sincere liberals.

This is a clipping from
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DAILY WORKER
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Van Lopik

Baldwin said to one writer. "It's the reformer's instinct, I suppose. It has nothing to do with doing people good. I just try to put things to right."

Although formally retired, Baldwin hasn't quit putting things right. From his home in New York and New Jersey, the old man goes forth almost daily to advise the ACLU in its international activities and to chair the International League for the Rights of Man, a United Nations-accredited group.

His honors range from an award from the American Veterans Committee to the Japanese Order of the Rising Sun.

BALDWIN'S presence in Detroit Saturday for the birthday celebration, starting at 6 p.m. in the Rackham Memorial on Farnsworth near Woodward, is a feather in the cap of the Michigan ACLU, one of the organization's most active groups.

It is pressing legal action in more than 30 cases, ranging from a suit against Wayne State University for denying "fair and equal access" to its McGregor Memorial Community Conference Center, to

the right of an indigent prisoner to a transcript of his trial at public expense so he can appeal.

In one of the most recent cases, the ACLU intervened in the Recorder's Court trial of five Negroes arrested for boogie during the playing of the National Anthem at an Olympic rally in Detroit last Oct. 11.

Among the reasons for ACLU interest were that the defendants weren't arrested until three days after the incident, and the contention that their prosecution amounted to "selective" law enforcement.

The Detroit case resulted in a mistrial last week but the defendants probably will be re-tried.

THE UNION'S battle does not begin or end with one case. It goes on continually and grows more important with the growth of bureaucracy and the diminishment of the importance of the individual and his rights.

Lawyers who give a lot of their time and effort to the union's work are liable to have their elbows poking through their tweeds.

But each year, Mazey's list of Michigan lawyers who "want to do something" about injustice grows.

The Michigan chapter has been formally organized only since mid-1961. The Detroit unit goes back to 1952. Actually, individual interest by attorneys in civil liberties problems is as old in Michigan as elsewhere in the nation, and there were volunteers here who assisted ACLU from the outset.

Mazey is proud to boast that ACLU of Michigan is "probably the fastest growing unit in the nation."

For every great cause—civil rights, government suppression of news, the rights to fair hearings, speech and press—there are a number of little cases that cannot be ignored and must be carried as high as they have to be.

Someone has to go to bat for a Marine courtmartialed without proper counsel for stealing small sums of money, and the rights of a couple to adopt a child, denied because the mother was of Japanese origin.

It is the little cases that make the organization.

THE NEW YORK chapter presented a classic example of civil liberties defense by intervening on both sides of a case. It supported a Brooklyn newspaper against the rare charge of criminal libel, even though the newspaper had assailed the NYCLU.

The ACLU said the denial of a cabaret license to a Playboy Club, because the bunnies might mingle with the guests, amounted to prior censorship.

The newspaper thereupon assailed the NYCLU's friend of the court brief in the case and also the judge who agreed with the brief. The paper questioned the judge's integrity in the case. When the judge took the case to a grand jury that indicted the newspaper, the Union ignored the attack upon itself, sought and won dismissal of the charge against the paper.

"This seeming inconsistency is readily explained in that the union adheres to principle objectively, free from emotional appeals and personalities, and has done so repeatedly throughout its history," explained the New York chapter. That about sums it up.